

**RECORDS MANAGEMENT COMMITTEE**  
City Clerk's Conference Room, 1st Floor, City Hall  
400 Stewart Avenue, Las Vegas, Nevada  
CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.ci.las-vegas.nv.us>

**January 11, 2002**  
**1:30 p.m.**

CALL TO ORDER: City Clerk Ronemus called the meeting to order at 1:35 p.m.

ATTENDANCE: Barbara Jo (Roni) Ronemus, City Clerk  
Doug Selby, Deputy City Manager  
John Redlein, Assistant City Attorney  
Joseph Marcella, Director, Information Technologies  
Mark Vincent, Director, Finance & Business Services (excused 2:50 p.m.)  
Richard Goecke, Director, Public Works  
Sharon Kuhns, Records Administrator  
Donna Willey, Administrative Secretary

ANNOUNCEMENT MADE RE COMPLIANCE WITH THE OPEN MEETING LAW - Meeting noticed and posted at the following locations:

Downtown Transportation Center, City Clerk's Board  
Senior Citizens Center, 450 E. Bonanza Road  
Clark County Government Center, 500 S. Grand Central Pkwy  
Court Clerk's Bulletin Board, City Hall Plaza  
City Hall Plaza, Posting Bulletin Board

(1:36)  
**1-1**

BUSINESS:

A. APPROVAL OF FINAL MINUTES BY REFERENCE OF THE RECORDS MANAGEMENT COMMITTEE MEETING OF DECEMBER 21, 2001.

**GOECKE - Motion to APPROVE – MARCELLA seconded the motion – UNANIMOUS**

(1:36)  
**1-19**

B. DISCUSSION AND POSSIBLE ACTION CONCERNING THE RECORDS MANAGEMENT COMMITTEE GUIDANCE AND POSSIBLE SUPPORT OF A CITY RECORDS CENTER IN THE NEXT BUDGET CYCLE.

**VINCENT - Motion to keep the request for a City Records Center on the five-year CIP but hold until next budget cycle and also for the City Clerk to present an offer of \$500,000.00 or \$1 million to the State towards a joint facility – SELBY seconded the motion – UNANIMOUS**

Ms. Kuhns stated that due to budget constraints, it might not be possible to submit a Capital Improvement Project. She explained that with the support of other departments who can share in the cost and use of a facility such as this, it may be realistic. Ms. Kuhns provided the Committee with copies of the CIP summary sheet that was submitted last year, a narrative and other documentation. The narrative includes excerpts from NAC and the Municipal Code for the establishment of an archival records storage facility.

Mr. Marcella confirmed the size of the vault described in the CIP to be a 20 x 20 square foot area and asked if that would be sufficient space. Ms. Kuhns explained that the configuration of the shelving shown in the illustration is a more efficient use of shelf space. Mr. Marcella inquired about including space for Information Technologies to be used for contingency backup and connectivity and a training area. Ms. Kuhns explained that this facility is not meant to be occupied and will not have the manpower.

Deputy City Manager Selby asked Ms. Kuhns if she has spoken to Mr. Truipiano, Building Services, regarding space planning at City Hall. He mentioned that the jail booking facility is moving sometime between May and July, 2002, and the possibility of that space being available for records. Chair Ronemus explained that the area in question is on the second floor and there is a weight issue. Deputy City Manager Selby stated that using this area may be reasonable in the interim, until a facility can be funded.

Mr. Vincent asked if this presentation has been to Council. Ms. Kuhns advised that it has not. Chair Ronemus said that she is willing to make this presentation because of the need for a centralized storage system but the time must be the right time.

Mr. Marcella inquired about renting warehouse space. Chair Ronemus replied that it is possible but there would be issues with climate control, retrieval, etc. An outside company can do it for the City but they would own the records. The City would be billed every time a record was pulled. She also stated that if the City owned its own building, it would appreciate, instead of paying rent to somebody else.

Deputy City Manager Selby questioned the cost of \$5,700.00 per month listed in Ms. Kuhns report. Ms. Kuhns explained that the figure is high but there are existing charges for shed and storage space that is being leased by several City departments. Deputy City Manager Selby asked what the County has done with their records. Ms. Kuhns stated that each department stores their own records. The State Archivist has been trying to get a centralized record storage facility since the 1991 Legislative session, not only for state agencies but also for anyone else that space can be leased to.

Mr. Goecke recommended the State be given incentive by the City offering \$500,000.00 toward a centralized record storage facility. Ms. Kuhns advised that letters of support have been written. Mr. Vincent suggested that a letter with a promise of funding may be appropriate. Chair Ronemus advised the Committee that Ms. Kuhns also checked into State grant money but was unsuccessful. Mr. Vincent recommended that the request for a City Records Center be placed on the five-year CIP for the next budget cycle.

Assistant City Attorney Redlein asked Ms. Kuhns if she projected the amount of time the facility would be adequate for if the City was to fund this project. Ms. Kuhns stated that the retention schedule shows that permanent records are being put to archival median, which is microfilm, but does not list a projected life span for the facility. Mr. Vincent asked if this project can be overbuilt and sell it as a service to other agencies. Chair Ronemus agreed with this concept.

Ms. Kuhns recommended that this issue be a topic for discussion at the Nevada Clerk's Forum, which will be held in Henderson City Hall on January 31, 2002. Chair Ronemus concurred.

(1:36 – 2:03)

1-26

C. DISCUSSION AND POSSIBLE ACTION CONCERNING OPR (OFFICE OF PRIMARY RESPONSIBILITY) RECORDS IN CHAPTER 1 OF THE MUNICIPAL RECORDS MANUAL.

**RONEMUS - Motion to present at next Records Management Committee meeting the series numbers, general ledger numbers and to change the "Legally Required" column to "NAC Suggested" – SELBY seconded the motion – UNANIMOUS**

Chair Ronemus stated that the records series should be numbered so the Office of Primary Responsibility can be identified. She also stated that an index will be necessary if the Committee agrees on a numbering system. Ms. Kuhns noted that she wants to use the same numbering system that is used for the general ledger so the records can be tied to the department. Mr. Vincent stated that the OPR must be easily identified to avoid confusion. Deputy City Manager Selby suggested, for example, listing the originating department on an affidavit of publication. Mr. Vincent advised that every transaction has an org number and it follows through the general ledger. He suggested building the numbering system off org numbers.

Chair Ronemus expressed her concern regarding some of the suggested retention periods and audits. For example, department duplicates should be kept for one fiscal year. If an audit is done every two years, should the department hold the records to accommodate the audit schedule? Mr. Vincent stated that that is not the purpose of a retention schedule. Ms. Kuhns clarified that if a department receives a legal or audit notification, it would stop the destruction of the records.

Chair Ronemus suggested working on the numbering system and index for the Committee's review. The Committee must be ready to address retention of electronic documentation. Mr. Marcella pointed that electronic and microfilmed documentation is addressed, but will probably be expanded. Ms. Kuhns added that eventually a new process will be needed for electronic documents in order to ensure authenticity. For the time being, the City needs to make the identification in this manner and then make the procedural change once the electronic schedule is created. Chair Ronemus confirmed with Mr. Marcella that the rule of thumb is whatever is done with paper is also done with electronic. Electronic documents eventually are transferred to film or to paper. That is the existing life cycle.

Mr. Marcella noted that e-mails, even if unopened, are deleted after 45 days and purged after 90 days. But as the current retention schedule exists, that can be considered a retainable document and it can be placed into a permanent folder for preservation. That is actually better than most organizations do, but it is still not the best process as it depends on the receiver doing it right. Mr. Vincent argued that e-mails are a bad example. Chair Ronemus countered that the situation in the paper involving Arthur Anderson involved e-mails. Ms. Kuhns stated that in that case the electronic documents will be recreated from backup tapes for the investigation. Therefore, the electronic record was not actually destroyed. Mr. Vincent questioned keeping paper for reports which are maintained on the database and are replicatable.

Ms. Kuhns advised that she has begun an audit of Information Technologies fiche cabinets. Much of the fiche has been retained long beyond the retention period. Mr. Marcella countered that the applicable reports are essential and the fiche is the permanent record. Mr. Vincent expressed his concern that reports change over time and the ability to exactly replicate the report years later. Changes in personnel as well as report format can create an interesting situation. Those are probably also retained in paper form. Deputy City Manager Selby pointed out the difference between the report and the cover memo providing the report for retention purposes.

Chair Ronemus suggested that the Committee might not be ready to tackle these issues pending additional State information. Mr. Marcella supported waiting until the new rules are provided. Assistant City Attorney Redlein confirmed with Ms. Kuhns that the retentions are legally required in accordance with the retention schedule submitted by the City and approved by the State. Generally retention schedules are a negotiated agreement between the parties. The audit reports referenced at the bottom of Page 6 are shown as permanent. However, Assistant City Attorney Redlein questioned the value of maintaining as permanent an audit involving operational review of a divisional section which may be dissolved and no longer exist. Likewise there is provision for correspondence down to the division manager level regarding department operational plans. Ms. Kuhns replied that Nevada Administrative Code (NAC) is the authority for the permanent retention of every directive of the City Manager and all insurance plans as

well as the 85-year retention schedule for employee files. However, payroll deductions have a permanent retention.

From the other point of view, Assistant City Attorney Redlein indicated that it would appear that job descriptions should be retained longer than the one year required. Some of the time frames involved have no realistic utility to them. Ms. Kuhns explained that there was an occasion where an employee filed a medical claim under a plan after retirement. Assistant City Attorney Redlein argued that there is a question of a timely filing. Ms. Kuhns rebutted that OSHA claims would create a deviation. Mr. Marcella used the Test Site as a more applicable example and such claims would be used as discovery.

Mr. Vincent summarized that NAC suggestions might need to be reviewed rather than be treated as a legal requirement. Mr. Goecke agreed that a directive regarding western apparel during National Rodeo Finals should not be permanent retention. Chair Ronemus discussed with Mr. Marcella that it would create confusion to use a combination of NAC suggestions and City created standards. Assistant City Attorney Redlein argued that internal review with descending categories within the schedule would be more practical and appropriate.

Assistant City Attorney Redlein asked how long the backup tapes of e-mails, in which many of the City Manager's directives are contained, are retained. Mr. Marcella answered a total of 90 days. Mr. Vincent stated that those e-mails are not directives and those that may be would be saved in permanent electronic folders and/or printed for a paper file. Chair Ronemus compared the described e-mails to answer pads for telephone pads and other informal notes in which non-policy informational messages are relayed. Deputy City Manager Selby agreed that the "directives" referred to are those with policy impact or of significance.

There was a consensus among the Committee that the NAC suggestions are burdensome and may not always be applicable or appropriate. Assistant City Attorney Redlein pointed out that reducing the archive would also be more cost effective. In addition to the issue of the space and cost, there is the staffing required to maintain these records. Chair Ronemus stressed that any deviations would require documentation and a clear explanation. Mr. Vincent noted that it would be the job of the Records Center to track the retention and destruction.

Chair Ronemus stated that as the Manual is put together, there will need to be input from the Departments in case any records have been missed or improperly scheduled. Assistant City Attorney Redlein stated after the Committee designs City suggestions, those suggestions need to be submitted to the State Archivist. At that time, the category on the form will be replaced with required retention without denoting the authority for the requirement. Until that time, the category will remain NAC recommendation. Ms. Kuhns recommended that Purchasing & Contracts be specifically identified rather than falling under the broader Finance & Business Services. Mr. Vincent responded that the clarification will be provided by the org number.

(2:03 – 2:51)

**1 – 928**

**D. INFORMATIONAL MATTERS FOR FUTURE RECORDS MANAGEMENT COMMITTEE AGENDAS.**

Assistant City Attorney Redlein agreed to meet with Ms. Kuhns to discuss rewriting the ordinance but that it may not be ready for the next Committee agenda. Deputy City Manager Selby requested an item regarding a report from the Clerks' Conference as relates to records management. Ms. Kuhns concurred with Assistant City Attorney Redlein's suggestion that the municipalities could pool information on the subject at that conference.

(2:51 – 2:53)

**1-2960**

CITIZENS PARTICIPATION:

None.

ADJOURNED:

**REDLEIN - Motion to ADJOURN – MARCELLA - seconded the motion – UNANIMOUS**

The meeting adjourned at 2:53 p.m.

/dw